



MONROE COUNTY, FLORIDA
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 183 - 2013

A RESOLUTION AMENDING RESOLUTION 158-2013, THE PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT FEE SCHEDULE; AMENDING THE FEE SCHEDULE TO REVISE THE FEES ASSOCIATED WITH NROGO APPLICATIONS; AND TO REPEAL ANY OTHER FEE SCHEDULES INCONSISTENT HERewith.

WHEREAS, the Monroe County Board of County Commissioners wishes to provide the citizens of the County with the best possible service in the most cost effective and reasonable manner; and

WHEREAS, the Board finds that it would be in the best interests of the general public to charge the true cost for such services, thereby placing the burden of such costs directly upon those parties deriving the benefit from such services; and

WHEREAS, the updated fee schedule prepared by the Growth Management Director for providing these services includes the estimated direct costs and reasonable indirect costs associated with the review and processing of planning and development approval applications and site plans, on-site biological reviews, appeals, preparation of official documentation verifying existing development rights and other processes and services; and

WHEREAS, the Board has discussed the need to adjust the fee schedule to compensate the county for resources needed in excess of the fee estimates included in the base fees; and

WHEREAS, applicants for development review should pay the cost of the review, rather than those funds coming from other sources; and

WHEREAS, the Board recently adopted two text amendments to the Monroe County Land Development Code revising provisions concerning the Nonresidential Rate of Growth Ordinance (NROGO) and establishing an NROGO bank. The text amendments were memorialized by Ordinance #019-2013 and #020-2013; and

WHEREAS, the NROGO text amendments increased the cap on NROGO allocations to 10,000 square feet per site per quarterly allocation period; increased the cumulative cap on NROGO allocations per structure to 10,000 SF and to 50,000 SF for structures in the Urban

Commercial zoning district; excludes structures within an overlay district established in a community master plan from the 10,000 SF limit of NROGO allocations; and established an NROGO bank and process for receiving allocations from the bank; and

WHEREAS, application and review process for annual allocations and bank allocations are nearly the same, and will generate a similar cost to the Planning and Environmental Resources Department depending on the proposed square footage of the proposed development; and

WHEREAS, applications for more than 10,000 square feet of floor area require allocations over multiple allocation quarters and; therefore, require an extended review process and generate increased cost to the Planning and Environmental Resources Department; and

WHEREAS, new fees are necessary to reflect the difference in cost generated by applications for different amounts of NROGO floor area; and

WHEREAS, the Board heard testimony and evidence presented as to the appropriate fee schedule during a public hearing on June 19, 2013;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY FLORIDA:

Section 1.

Pursuant to Section 102-19(9), the following schedule of fees to be charged by the Growth Management Division for its services, including but not limited to the filing of land development permit applications, land development approvals, land development orders, and appeal applications, and requests for technical services or official letters attesting to development rights recognized by the County shall be implemented:

Administrative Appeals.....	\$1,500.00
Administrative Relief.....	\$1,011.00
Alcoholic Beverage Special Use Permit.....	\$1,264.00
Appeal ROGO or NROGO to BOCC	\$816.00
Beneficial Use	\$4,490.00
Biological Site Visit (per visit).....	\$280.00
Biologist Fee (Miscellaneous-per hour).....	\$60.00
Boundary Determination.....	\$1,201.00
Comprehensive Plan, Text Amendment.....	\$5,531.00
Comprehensive Plan, Future Land Use Map (FLUM) Amendment.....	\$5,531.00
Conditional Use, Major, New/Amendment.....	\$10,014.00
Conditional Use, Minor, New/Amendment.....	\$8,484.00
Conditional Use, Minor, Transfer Development Rights (TDR).....	\$1,239.00
Conditional Use, Minor, Transfer Nonresidential Floor Area (TRE).....	\$1,944.00
Conditional Use, Minor, Transfer ROGO Exemption (TRE).....	\$1,740.00
Conditional Use, Minor/Major, Minor Deviation.....	\$1,768.00

1	Conditional Use, Minor/Major, Major Deviation.....	\$3,500.00
2	Conditional Use, Minor/Major, Time Extension.....	\$986.00
3	Department of Administrative Hearings (DOAH) Appeals.....	\$816.00
4	Development Agreement.....	\$12,900.00
5	Development of Regional Impact (DRI).....	\$28,876.00
6	Dock Length Special Exception.....	\$1,026.00
7	Front Yard Setback Waiver, Administrative.....	\$1,248.00
8	Grant of Conservation Easement.....	\$269.00
9	Home Occupation Special Use Permit.....	\$498.00
10	Inclusionary Housing Exemption.....	\$900.00
11	Land Development Code, Text Amendment.....	\$5,041.00
12	Land Use District Map, Amendment–Nonresidential.....	\$4,929.00
13	Land Use District Map, Amendment–Residential.....	\$4,131.00
14	Letter of Current Site Conditions.....	\$936.00
15	Letter of Development Rights Determination.....	\$2,209.00
16	Letter of ROGO Exemption.....	\$215.00
17	NROGO Application - up to 10,000 SF.....	\$920.00
18	NROGO Application - 10,001-50,000 SF.....	\$1,261.00
19	NROGO Application - 50,001 SF or greater.....	\$1,543.00
20	Planning Fee (Miscellaneous-per hour).....	\$50.00
21	Parking Agreement.....	\$1,013.00
22	Planning Site Visit.....	\$129.00
23	Platting, 5 lots or less.....	\$4,017.00
24	Platting, 6 lots or more.....	\$4,613.00
25	Pre-application with Letter of Understanding.....	\$689.00
26	Pre-application with Letter of Understanding only identifying the status of a	
27	nonconforming use.....	\$250.00
28	Pre-application with No Letter of Understanding.....	\$296.00
29	Preliminary Endangered Species Impact Assessment (SAG)	\$140.00
30	Public Assembly Permit.....	\$149.00
31	Dog in Restaurant Permit.....	\$150.00
32	Research, permits and records (per hour).....	\$50.00
33	Road Abandonment.....	\$1,533.00
34	ROGO Application.....	\$748.00
35	ROGO Lot/Parcel Dedication Letter.....	\$236.00
36	Legislative Time Extension for Development Orders / Permits.....	\$250.00
37	Special Approval for Shoreline Setback deviations	
38	(3 or fewer dwelling units, Sec. 118-12(o)(2)).....	\$1,152.00
39	Special Certificate of Appropriateness.....	\$200.00
40	Tier Map Amendment–Other than IS/URM Platted Lot.....	\$4,131.00
41	Tier Map Amendment–IS/URM Platted Lot Only.....	\$1,600.00
42	Vacation Rental Permit (Initial).....	\$493.00
43	Vacation Rental (Renewal).....	\$100.00
44	Vacation Rental Manager License.....	\$106.00
45	Variance, Planning Commission, Signage.....	\$1,076.00
46	Variance, Planning Commission, Other than Signage.....	\$1,608.00

Variance, Administrative.....	\$1,248.00
Vested Rights Determination.....	\$2,248.00
Wetlands Delineation (per hour).....	\$60.00

Growth Management applications may be subject to the following additional fees or requirements:

1. For any application that requires a public hearing(s) and/or surrounding property owner notification, advertising and/or notice fees; \$245 for newspaper advertisement and \$3 per property owner notice.
2. There shall be no application or other fees, except advertising and noticing fees, for affordable housing projects, except that all applicable fees shall be charged for applications for all development approvals required for any development under Sec. 130-161.1 of the Monroe County Code and for applications for variances to setback, landscaping and/or off-street parking regulations associated with an affordable housing development.
3. There shall be no application or other fees, except advertising and noticing fees, for property owners who apply for a map amendment to the official LUD map and/or the official FLUM, if the property owner can provide satisfactory evidence that a currently existing use on the site that also existed lawfully in 1992 was deemed nonconforming by final adoption of the LUD map and/or a currently existing use on the site that also existed lawfully on the site in 1997 was deemed nonconforming by final adoption of the FLUM. To qualify for the fee exemption, the applicant must apply for a LUD and/or FLUM designation(s) that would eliminate the non-conforming use created with adoption of the existing designation(s) and not create an adverse impact to the community. Prior to submittal of a map amendment application, the applicant must provide the evidence supporting the change and application for a fee exemption with the proposed LUD map/FLUM designations to the Monroe County Planning & Environmental Resources Department as part of an application for a Letter of Understanding. Following a review, the Director of Planning & Environmental Resources shall determine if the information and evidence is sufficient, and whether the proposed LUD map and/or FLUM designations are acceptable for the fee waiver, and approve or deny the fee exemption request. This fee waiver Letter of Understanding shall not obligate the staff to recommend approval or denial of the proposed LUD or FLUM Category.
4. Hearing fees: applicant shall pay half the cost of the hourly rate, travel and expenses of any hearing officer. The County is currently charged \$142.00 per hour by Department of Administrative Hearings (DOAH). If the fee charged to the County is increased, the charge will change proportionately. An estimated amount of one-half of the hearing officer costs as determined by the County Attorney shall be deposited by the applicant along with the application fee, and shall be returned to the applicant if unused.

1 5. Base fees listed above include a minimum of (when applicable) two internal staff
2 meetings with applicants; one Development Review Committee meeting, one
3 Planning Commission public hearing; and one Board of County Commission public
4 hearing. If this minimum number of meetings/hearings is exceeded, the following
5 fees shall be charged and paid prior to the private development application
6 proceeding through public hearings:
7

- 8 a. Additional internal staff meeting with applicant \$500.00
9 b. Additional Development Review Committee public hearing \$600.00
10 c. Additional Planning Commission public hearing \$700.00
11 d. Additional Board of County Commissioners public hearing \$850.00
12

13 The Director of Growth Management or designee shall assure these additional fees
14 are paid prior to hearing scheduling. These fees apply to all applications filed after
15 September 15, 2010.
16

- 17 6. Applicants for Administrative Appeal, who prevail after all appeals have been
18 decided or where the appeal period(s) has expired, shall have the Administrative
19 Appeal application fee refunded. A full refund does not require approval by the Board
20 of County Commissioners; however, if the appellant only prevails on a portion of
21 their appeal, the Board of County Commissioners shall determine the amount of the
22 refund.
23
24 7. Concerning the application fees to amend the tier maps, the lesser application fee of
25 \$1,600.00 is only available for applications to amend the tier designation of a single
26 URM or IS platted lot. It may not be used to amend the designation of more than one
27 parcel.
28
29 8. Applicants for any processes listed above that are required to provide transportation
30 studies related to their development impacts shall be required to deposit a fee of
31 \$5,000 into an escrow account to cover the cost of experts hired by the Growth
32 Management Division to review the transportation and other related studies submitted
33 by the applicant as part of the development review process or any map or text
34 amendment submitted by a private applicant. Any unused funds deposited by the
35 applicant will be returned upon permit or amendment approval. Monroe County shall
36 obtain an estimate from the consultant they intend to hire to review the transportation
37 study for accuracy and methodology and if the cost for the review on behalf of
38 Monroe County is higher than the \$5000, applicant shall remit the estimated amount.
39 Any unused funds deposited by the applicant will be returned upon permit approval.
40

41 **Section 2.**
42

43 Any other fees schedules or provisions of the Monroe County Code inconsistent herewith are
44 hereby repealed.
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1 **Section 3.**

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3 The Clerk of the Board is hereby directed to forward one (1) certified copy of this Resolution to
4 the Division of Growth Management.
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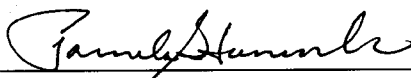
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7 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida
8 at a regular meeting held on the 19th day of June, 2013.
9

10 Mayor George Neugent	Yes
11 Mayor <i>Pro Tem</i> Heather Carruthers	Yes
12 Commissioner Danny Kolhage	Yes
13 Commissioner Sylvia Murphy	Yes
14 Commissioner David Rice	Yes

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16
17 **MONROE COUNTY BOARD OF COUNTY COMMISSIONERS**
18

19 Attest: Amy Heavilin, Clerk

20
21 By 
22 Deputy Clerk
23

By 
Mayor George Neugent

FILED FOR RECORD
2013 JUL 12 AM 11:27
CLERK CIR. CL.
MONROE COUNTY, FL.

